

## Department of Defense

241.102

of the clause, the name of the contracting office and the basic agreement or contract number which is being superseded.

(d) Use the clause at 252.239-7016, Telecommunications Security Equipment, Devices, Techniques, and Services, in solicitations and contracts when performance of a contract requires a securing telecommunications.

[56 FR 36429, July 31, 1991, as amended at 57 FR 42632, Sept. 15, 1992; 62 FR 40473, July 29, 1997]

### Subpart 239.75—Appropriations Act Restrictions

SOURCE: 57 FR 14995, Apr. 23, 1992, unless otherwise noted.

#### 239.7500 Scope of subpart.

This subpart contains restrictions on the acquisition of information technology, imposed by Defense appropriations acts.

[57 FR 14995, Apr. 23, 1992, as amended at 62 FR 34127, June 24, 1997]

#### 239.7501 Major automated information systems restriction.

Section 8028 of the FY 1992 Defense Appropriations Act (Pub. L. 102-172) and similar sections of the FY 1993, FY 1994, and FY 1995 Defense appropriations acts prohibit use of DoD appropriations for acquisition of major automated information systems, unless the systems have successfully completed oversight reviews required by DoD regulations.

[62 FR 1060, Jan. 8, 1997]

## PART 241—ACQUISITION OF UTILITY SERVICES

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AUTHORITY: 48 U.S.C. 421 and 48 CFR Chapter 1.

SOURCE: 63 FR 11539, Mar. 9, 1998, unless otherwise noted.

### Subpart 241.1—General

#### 241.101 Definitions.

As used in this part—

*Definite term contract* means a contract for utility services for a definite period of not less than one nor more than ten years.

*Dual service area* means a geographical area in which two or more utility suppliers are authorized under State law to provide services.

*Indefinite term contract* means a month-to-month contract for utility services which may be terminated by the Government upon proper notice.

*Independent regulatory body* means the Federal Energy Regulatory Commission, a state-wide agency, or an agency with less than state-wide jurisdiction when operating pursuant to state authority. The body has the power to fix, establish, or control the rates and services of utility suppliers.

*Nonindependent regulatory body* means a body that regulates a utility supplier which is owned or operated by the same entity that created the regulatory body, e.g., a municipal utility.

*Regulated utility supplier* means a utility supplier regulated by an independent regulatory body.

*Service power procurement officer* means for the—

Army, the Chief of Engineers;

Navy, the Commander, Naval Facilities Engineering Command;

Air Force, the head of a contracting activity; and

Defense Logistics Agency, the Executive Director of Contracting.

#### 241.102 Applicability.

(a) This part applies to purchase of utility services from nonregulated and regulated utility suppliers. It includes the acquisition of liquefied petroleum gas as a utility service when purchased from regulated utility suppliers.